

NEVADA DEPARTMENT OF AGRICULTURE
WORKPLACE VIOLENCE PREVENTION
POLICY #AG-1-HR-10

PURPOSE:

To establish procedures and controls for managing threats of workplace violence, harassment, intimidation and other aggressive or disruptive behavior initiated towards any employee of the Nevada Department of Agriculture.

POLICY:

It is the policy of the Department of Agriculture that violence, threats of violence, harassment, intimidation and other acts of aggression or disruptive behavior will not be tolerated and appropriate measures will be taken to ensure the safety of employees. Any threat of violence made by an employee of this department will be addressed in a swift and effective manner, and may include disciplinary action up to and including termination. This policy extends to all situations that reasonable persons would consider threatening while on duty or acting in an official capacity on or off their official work site.

SCOPE:

This policy and the procedures contained within shall apply to all employees in the Department.

REFERENCES:

Nevada Revised Statutes (NRS) 199.300; and Nevada Administrative Code (NAC) 284.589, 284.650 and 284.656; the State of Nevada Workplace Violence Prevention Policy guidelines; and the Department's Prohibitions and Penalties.

RESPONSIBILITY:

1. The Employee shall be responsible for:
 - a. Immediately reporting any threat or act of violence to the immediate supervisor or the most accessible supervisor available.
 - b. Following the guidelines and procedures outlined in this policy.
2. Each Supervisor shall be responsible for:
 - a. Immediately investigating the complaint or incident and taking necessary action as outlined in this policy.
 - b. Notifying the Division Administrator immediately in the case of a "direct and imminent threat of violence", or as soon as possible when the threat or complaint does not impose immediate danger.

3. Division Administrators shall be responsible for:
 - a. Determining immediate course of action to take based on the guidelines and procedures outlined in this policy.
 - b. Immediately notifying the Director or his designated representative if a crisis situation arises where there is a “direct and imminent threat of violence”.
4. The Director or Designated Representative shall be responsible for:
 - a. If a crisis situation arises, implementing the immediate intervention steps and assembling a threat assessment team to determine the best course of action.
5. Agency Human Resource Services (AHRS) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and application of this policy and related policies and regulations.
 - b. Assisting management in determining disciplinary and/or criminal action to be taken when threat is from an internal source (department employee).

PROCEDURES:

Reporting Workplace Violence Threats or Acts:

1. Anytime an employee is placed in a position of fear due to an act of aggression or threat of violence, he or she should try to remain calm, attempt to remove themselves from direct contact with the individual, seek shelter in a secured area not accessible to that individual, and take every reasonable step to avoid a physical altercation.
2. Employees must immediately report all incidents or acts to their immediate supervisor or the most accessible supervisory representative available.
3. If the threat to the employee is immediate and may result in serious injury, local law enforcement should be contacted immediately.
4. Employees who are experiencing threats of violence from a domestic partner or other non-work related relationship that may carry over to the workplace are encouraged to report this to their supervisor or division administrator, so a plan of action can be put in place to minimize the risk to the employee and others during working hours.

Acting On Direct or Indirect Threats from the Public or a Department Employee:

Any individual who commits acts of workplace violence, as described herein, will be subject to disciplinary action (if a state employee), and may be removed from the premises, and/or subject to criminal actions by the Attorney General (NRS 199.300, NRS 203.119 and NRS 200.571 – 575).

1. When acting on a ‘direct and imminent threat of violence’ to employees or others in the workplace, Department of Agriculture management should utilize the “Immediate Intervention” options and guidelines outlined in the State of Nevada’s Workplace Violence Prevention Policy (WPVP). Actions required may vary depending upon the specific circumstances involved, but in all cases, immediate action should include contacting law enforcement and consideration of the immediate safety of affected employees, followed by quick assembly of a Threat Assessment Team (TAT) and thorough documentation of the incident.
2. When the threat does not pose an immediate danger or an employee is exhibiting inappropriate or unsafe behavior resulting in other employees expressing concern for their safety or indicating they feel they are working in a hostile environment, the Division Administrator shall contact AHRS and when appropriate, the Attorney General’s Office, to determine the best course of action.

Incident Investigation When Threat Is Internal:

1. The supervisor will thoroughly investigate the complaint or incident when it is reported. Each event must be documented and include witness statements.
2. The supervisor shall report the incident to their manager or division administrator and provide a copy of the incident report to the Division Administrator.
3. The Division Administrator, working with AHRS, will determine whether the severity of the incident should be referred to the Attorney General’s Investigations Division to initiate a criminal investigation and/or disciplinary course of action that should be taken (when the threat is from an employee).
4. The Director or his designated representative must be immediately notified in the event a serious incident has occurred and/or if it is determined that immediate disciplinary action is required.

TRAINING:

1. Each Division Administrator shall ensure that all supervisory personnel attend training regarding the management of workplace violence.
2. All employees, regardless of their level of risk, must be provided initial and periodic refresher training in the recognition of workplace violence, the appropriate response to incidents of aggression or violence, the department’s specific policy and procedures, and the proper use of security hardware if appropriate.

3. Employees with job tasks or locations that place them at a higher risk for violent incidents should be provided specialized training in the prevention of workplace violence.

POLICY COMMUNICATION:

All new employees of the Department of Agriculture will receive a copy of this policy and will sign an acknowledgement that they have read and understand the conditions within. Supervisors will ensure all currently assigned employees are aware of the requirements of this policy. Employees needing clarification should contact Agency HR Services, their supervisor, or their Division Administrator for more information.

DIRECTOR'S POLICY AUTHORIZATION:

Jim R. Barbee, Director

Date

APPROVED BY THE BOARD OF AGRICULTURE ON

Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).